

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:	
PARENT ON BEHALF OF STUDENT,	OAH CASE NO. 2013041186
v.	
ANAHEIM CITY SCHOOL DISTRICT,	
ANAHEIM CITY SCHOOL DISTRICT,	OAH CASE NO. 2013051015
v.	
PARENT ON BEHALF OF STUDENT.	ORDER GRANTING MOTION TO CONSOLIDATE

On April 29, 2013, Student's parent on behalf of Student (Student) filed a request for due process hearing in OAH case number 2013041186 (First Case), naming the Anaheim City School District (District). That case is currently set for a telephonic prehearing conference (PHC) on June 17, 2013, and a hearing on June 25, 2013.

On May 23, 2013, the District filed a request for due process hearing in OAH case number 2013051015 (Second Case), naming Student.

On May 23, 2013, the District filed a Motion to Consolidate the First Case with the Second Case and to move the hearing and PHC dates in the Second Case to match those currently set in the First Case. Student has not filed a response to the motion.

Although no statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases, OAH will generally consolidate matters that involve: a common question of law and/or fact; the same parties; and when consolidation of the matters furthers the interests of judicial economy by saving time or preventing inconsistent rulings. (See Gov. Code, § 11507.3, subd. (a) [administrative proceedings may be consolidated if they involve a common question of law or fact]; Code of Civ. Proc., § 1048, subd. (a) [same applies to civil cases].)

Here, the First Case and Second Case involve a common question of law or fact, specifically, the appropriateness of the District's assessments. The same parties are involved in both cases, and many of the same witnesses will be testifying at the hearing. Accordingly, consolidation is granted.

## ORDER

1. The District's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2013051015 [Second Case] are vacated.
3. The Second Case is rescheduled for the same dates as those set in OAH Case Number 2013041186 [First Case].
4. The 45-day timeline for issuance of the decision in the consolidated cases shall be based on the date of the filing of the complaint in OAH Case Number 2013041186 [First Case].

Dated: May 30, 2013

/s/

---

SUSAN RUFF  
Administrative Law Judge  
Office of Administrative Hearings